IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 22ND NOVEMBER 2006 / 1ST AGRAHAYANA 1928

Bail Appl..No. 6846 of 2006()

CRIME NO.389/06 OF KALPAKANCHERRY POLICE STATION

PETITIONER/ACCUSED

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1. HASSAN, S/O.MOIDEENKUTTY,
   THEKIL HOUSE, KADAMPUZHA P.O.,
   MELMURI AMSOM DESOM, TIRUR,
   MALAPPURAM DISTRICT.

2. MUJEEB, S/O.ABDU,
   PALATHUM VEETTIL HOUSE,
   KADAMPUZHA P.O., MELMURI AMSOM DESOM,
   TIRUR, MALAPPURAM DISTRICT.

3. SUBAIR, S/O.KUNHIPOCKER,
   KALODI HOUSE, KADAMPUZHA P.O.,
   MELMURI AMSOM DESOM, TIRUR,
   MALAPPURAM DISTRICT.

BY ADV. SRI.K.P.MUJEEB

RESPONDENT: COMPLAINANT

STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

B.A.No. 6846 OF 2006

DATED THIS THE 22nd DAY OF NOVEMBER, 2006

O R D E R

Petitioners who are accused Nos.1 to 3 in Crime No.389/06 of Kalpakancherry Police Station for offences punishable under sections 341, 306 and 308 read with section 34 IPC, seek anticipatory bail. The occurrence took place on 7.11.2006. The weapon used was iron rod. The victim has sustained fracture of ulna and fracture of metacarpals.

2. Considering the nature of the injuries sustained by the defacto complainant, I am not inclined to grant anticipatory bail to the petitioners. There is no reason why the petitioners should not seek regular bail. Accordingly, if the petitioners surrender before the Magistrate concerned and file an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

With this observation, this application is dismissed.

V.RAMKUMAR, JUDGE

dsn